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DRAFTING OF A DECLARATION ON THE RIGHT AND RESPONSIBILITY OF INDIVIDUALS, GROUPS AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT UNIVERSALLY RECOGNIZED HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Written statement submitted by the International Federation of Action by Christians for the Abolition of Torture (IFACAT), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[17 February 1997]

Defenders of human rights: vital actors

1. The States Members of the United Nations publicly agree to recall the vital role of these men and women in the struggle for true respect of human dignity.

2. The Declaration and Programme of Action adopted by the World Conference on Human Rights (Vienna, 1993) state the following: "Non-governmental organizations and their members genuinely involved in the field of human rights should enjoy the rights and freedoms recognized in the Universal Declaration of Human Rights and the protection of the national law ... Non-governmental organizations should be free to carry out their human rights activities, without interference, within the framework of national law and the Universal Declaration of Human Rights" (para. I.38). "The World Conference on Human Rights recommends the speedy completion and adoption of the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms" (para. II.94).

3. With regard to these solemn undertakings, IFACAT believes that progress by the working group established to draft a declaration for the protection of the defenders of human rights is being hindered by the bad faith of several States. Moreover, in recent months IFACAT has observed a clear increase in persecutions, prosecutions and acts of aggression against men and women whose only fault has been to take seriously the commitments undertaken by the world's countries to promote human dignity.

4. Among the many misdeeds of which the defenders of human rights are the victims, IFACAT wishes to cite the situations in Algeria, Turkey, Mexico, East Timor and Indonesia, among others.

5. Every day in Algeria, jurists, journalists, members of human rights groups and eminent persons in civil and religious society are being attacked and in some cases murdered. The authorities sometimes justify these abuses by referring to the exigencies of the struggle against terrorism. Such a justification, which only reinforces terrorism, is unacceptable. The action of terrorist groups, which IFACAT once again condemns vigorously, can in no way relieve the State leaders of their duty to protect their citizens, especially those who are threatened because they are defending human rights.

6. For years now, human rights activists in Turkey have been dragged before the courts, harassed and sometimes severely punished solely because they have disclosed the truth about human rights violations. Among the many cases of persons condemned or threatened unjustly are Esber Yamugdereli, Mahmout Sakar, Akin Birdal, Hüseyin Omit, Hanefi Isik, Ercan Kanar, Zeynep Baran, Suna Aras and Ayhan Erkai.

7. In Mexico, alongside many other defenders of human rights under threat, some members of the Mexican ACAT association have received multiple death threats made explicitly to stop the organization's activities against the inhuman treatment to which certain detainees are systematically subjected. The fact that the Mexican Government admitted in February 1997 that the police

might be infiltrated by the "drug cartel" does not excuse its failure to take action against individuals who are making threats or committing acts of aggression.

8. In Indonesia and East Timor, the international community should not simply be satisfied with the encouragement given to Mgr. Belo and Mr. José Ramos-Horta as a result of their winning the Nobel Peace Prize. The Commission on Human Rights must know that there are many defenders of human rights who are persecuted or threatened in that part of the world. They include Balthasar S.H. Belo, José María Gerónimo, Joeo Budlono C. Moraes, Gregorio Sequira Bento, Luis Alfonso, Abel Fernandes, Bobly Xavier and Armando C. Soares, arrested in late 1996.

9. IFACAT wishes once again to point out the flagrant contradiction between the commitments made by States in public and the reality of actions against the defenders of human rights.

IFACAT calls upon the Commission on Human Rights at its fifty-third session to recall:

(i) The importance and urgency of reaching an early agreement on a text which truly protects the defenders of human rights;

(ii) The obligation of each State to ensure that the defenders of human rights are free to act and are protected in their acts. The sincerity of each State in the field of human rights will be judged by its willingness to allow the defenders of human rights fully to accomplish their mission in the field.